

**\*\*\*ATTORNEY-CLIENT PRIVILEGED AND CONFIDENTIAL\*\*\***

Inventor(s): L. M. McKinley  
Application No.: 10/664,288  
Filing Date: September 17, 2003  
Title: ROD APPROXIMATOR  
Our Reference No.: 101896-206 (DEP5129)

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**PROPOSED CLAIM AMENDMENTS**

1. A spinal rod approximator device for moving a spinal rod into the rod-receiving member of a spinal implant, the device comprising:

an implant-gripping member having a U-shaped distal portion that extends in a direction substantially transverse to a longitudinal axis of a proximal portion of the implant-gripping member, the U-shaped distal portion including opposed legs that are adapted to be positioned under a distal end of a rod-receiving member of a spinal implant;

a rod-engaging member slidably coupled to the implant-gripping member along the longitudinal axis of the proximal portion at a position proximal to the U-shaped distal portion of the implant-gripping member, the rod-engaging member having a distal portion that extends transverse to a proximal portion; and

a pusher member freely-rotatably coupled to at least one of the implant-gripping member and the rod-engaging member and threadably mated to the other one of the implant-gripping member and the rod-engaging member such that rotation of at least a portion of the pusher member is effective to move at least one of the implant-gripping member and the rod-engaging member with respect to one another

12. A spinal rod approximator, comprising:

first and second components slidably coupled to one another and adapted for relative movement along a longitudinal sliding axis, the first component including an implant-gripping portion offset from the sliding axis and being adapted to engage the rod-receiving member of a spinal implant, a U-shaped distal portion of the implant-gripping portion extending transverse to the longitudinal sliding axis and including opposed legs that are adapted to be positioned under a distal end of a rod-receiving member of a spinal implant, and the second component including a rod-engaging portion offset from the sliding axis and being adapted to engage a spinal rod to move the spinal rod toward the rod-receiving member of the spinal implant being engaged by the implant-gripping portion; and

an actuator threadably coupled to one of the first and second components and effective to move at least one of the components with respect to the other component.

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